



# INVESTIGATIVE REPORT

Lori Torres, Inspector General

## INSPECTOR GENERAL REPORT

OFFICE: INDIANA DEPARTMENT OF CHILD SERVICES (DCS)  
TITLE: DCS LOCAL OFFICE OBSTRUCTION OF JUSTICE  
CASE ID: 2017-10-0245  
DATE: MARCH 5, 2018

*Inspector General Staff Attorney Matt Savage, after an investigation by the Inspector General's Director of Investigations, Darrell Boehmer, reports as follows:*

The Indiana General Assembly charged the Office of the Indiana Inspector General (OIG) with addressing fraud, waste, abuse, and wrongdoing in executive branch agencies of state government. IC 4-2-7-2(b). The OIG also investigates allegations of criminal activity and Code of Ethics violations within state government. IC 4-2-7-3.

On October 25, 2017, the OIG received a complaint alleging that a DCS local office supervisor instructed a DCS Family Case Manager (FCM) to tell individuals who were part of a DCS assessment to flush marijuana down the toilet. The reporting party stated that the marijuana consisted of roaches, which are the remains of a marijuana joint. In addition, the reporting party stated that a local police department officer was in the home and may have recorded the incident on his body camera. Based on the complaint, the reporting party did not have personal knowledge of the alleged incident.

Director of Investigations Darrell Boehmer conducted an investigation for potential criminal violations including obstruction of justice pursuant to Ind. Code § 35-44.1-2-2. Director Boehmer interviewed the supervisor, who remembered receiving a telephone call from the FCM but did not remember the specifics of the call. The supervisor stated that the supervisor did not

tell the FCM to flush drugs down the toilet and that family case managers are not permitted to handle drugs. Director Boehmer also spoke with the local police department officer, who stated that he accompanied the FCM to a home visit. The officer recalled seeing what he believed to be small marijuana roaches in the home. The officer stated that he spoke with the resident about the marijuana and told her that he would get a warrant to search the house if he saw marijuana in the house again. The officer did not remember who removed the marijuana roaches. In addition, the officer stated that he did not believe the resident was under the influence of drugs and did not believe the children were in danger.

Director Boehmer learned that DCS conducted an internal investigation into this matter and obtained DCS's investigative report. DCS's internal investigator interviewed five DCS employees within the local office; however, none of these individuals knew details or had personal knowledge of the incident. According to DCS's report, the FCM is no longer employed by DCS. The FCM included in the assessment report that "roaches were flushed down the toilet," but the FCM did not state that the supervisor instructed anyone to flush or otherwise dispose of the marijuana roaches.

The OIG's investigation found insufficient evidence to establish that the supervisor or any other person committed obstruction of justice or any other criminal violation. Although the officer and the FCM believed the roaches to be marijuana, the suspected marijuana was not recovered and cannot be tested to conclusively prove that it was marijuana. The supervisor denied to DCS and Director Boehmer that the supervisor instructed the FCM to dispose of the roaches, and the OIG's investigation found no independent evidence to corroborate the allegation that the supervisor instructed the FCM to do so. Finally, the FCM and the officer were in the home to conduct a DCS assessment, and the OIG's investigation did not find that the officer conducted an investigation

into the suspected marijuana or that there was ever any intent by anyone to obstruct an official proceeding or investigation.

The OIG's investigation found no evidence that any person violated the State Ethics Code, and the OIG does not have reasonable cause to believe a crime has occurred. As a result, the OIG is closing this investigation for insufficient cause.

Dated: March 5, 2018

APPROVED BY:

A handwritten signature in black ink that reads "Lori Torres". The signature is written in a cursive, flowing style.

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Lori Torres, Inspector General